

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
NORTHERN DIVISION

UNITED STATES OF AMERICA,  Plaintiff,  v.  JOSEPHINE THUNDERSHIELD  Defendant.	CR. 16-10028-CBK-2  <b>MOTION TO MODIFY CONDITIONS OF RELEASE</b>
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On August 18, 2016, the court entered an Order Setting Conditions of Release, Doc. 19. One of the conditions of release was that Defendant not reside with any minor children.

Defendant and the Government have agreed to a pretrial diversion in this matter, along with co-Defendant Riley Red Horse. The primary prerequisite which the Government set forth for proceeding with the pretrial diversion was that the Defendants rehabilitate their home to the satisfaction of Standing Rock Child Protective Services. That has been accomplished and Standing Rock CPS is prepared to reunite the Defendants with their children. However, reunification cannot yet occur due to the condition of release set forth above. Therefore, Defendant Josephine Thundershield requests that the Court modify the Order Setting Conditions of Release to remove the provision stating that she cannot reside with any minor children.

The Government, through Assistant United States Attorney Troy Morley, has indicated to counsel that it would not oppose this Motion if certain prerequisites were met, which counsel believes have been met.

Dated at Aberdeen, South Dakota, this 7th day of November, 2017.

BANTZ, GOSCH & CREMER, L.L.C.

/s/ Justin M. Scott

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### **CERTIFICATE OF SERVICE**

The undersigned, attorney for the Defendant, hereby certifies that on the 7th day of November, 2017, I caused the foregoing document to be filed electronically with the Clerk of Court through ECF, and that ECF will send an email notice of the electronic filing to the following:

Mr. Troy Morley  
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